

# Non Rate Case Working Group

May 26, 2004

# Members

Arthur Martinez   Barb Meisenheimer   Becky Powell   Bob Amdor   Dale Johansen

Dan Danahy   Dave Gibson   Diane Vuylsteke   Janis Fischer   Jim Fischer   Jim Lowery

John Coffman   John Van Eschen   Kathy Pape   Lena Mantle   Leo Bub

Lisa Langeneckert   Maurice Arnall   Mike Dandino   Mike Pendergast   Mike Rump

Mike Scheperle   Rick Zucker   Ron Evans   Ron Gieseke   Ruth O'Neill   Sondra Morgan

Stu Conrad   Tim Rush   Tom Byrne   Tripp England   Wess Henderson   Bob Schallenberg

# The Working Group's Approach to its Task

The working group had three meetings. At the initial meeting, the group decided several items regarding the way it would operate and the scope of its work. The scope of work was defined to examine thirteen types of cases. The types of cases selected are as follows:

Finance	Telco Certificate	Line Certificates
Area Certificates	Over Earnings Complaint	Customer Complaints
Co. vs. Co. Complaint	Telco Merger & Acquisition	Non-Telco Merger & Acquisition
Name Change	Accounting Authority Order	Territorial Agreements
Actual Cost Adjustments		

The working group then divided into subgroups related to each type of case selected. The subgroups were to be supplemented by Staff members to assist in the subgroup's analysis. Staff members were selected based on the premise that they had certain institutional and historical knowledge to assist each subgroup's analysis. Each subgroup was given the charge to examine the current process and develop recommendations for process or other improvements. If the subgroup found the current process to be functioning satisfactorily, then the subgroup would render such a finding. The following report is organized in sections related to each of the subgroup's conclusions. The working group reached a consensus agreement on all items in this report except the AmerenUE proposal related to certain finance cases.

While the timelines in the report represent the manner in which a case is expected to be processed under normal circumstances, a party is not precluded from seeking expedited treatment consistent with Rule 2.080(16). The recommendations are guidelines that create an expectation regarding the manner and timeframe in which a case should be processed. The group

recognizes that not all cases are identical and some cases may contain matters that justify deviation from these guidelines. The group believes that its guidelines should be applicable to the majority of each type of case that it examined.

# Finance

## Subgroup members

Tim Rush, Mike Rump, Ron Evans, Ron Gieseke, Bob Schallenberg

# Finance Recommendation

For all financings including shelf registration plans (a plan for issuing securities of various types over a reasonable period

## Timeline for Finance Case (\*)

Day	Description	Purpose
≥ - 14	Preapplication Conference (1)	Discuss upcoming filing, data needs, initial concerns, changes since last company case. Discuss need to modify shelf to address issue in the future. The number of days between the conference and the filing of the application is a guideline only. The application may be filed more promptly if circumstances warrant.
0	Application (2)	
7	Technical Conference (1)	Formal check of the status of case to see if data has been provided and representations have been verified. See if issues have developed related to the filing.
45-60	Staff Recommendation	Staff may file to extend if it encounters discovery disputes and discovers problems that were previously not identified.
75	Commission Action (3)	

(1) Telephone Option with e-mail/fax to convey material

(2) MFRs modified to include cash flow statement, with balance sheet and income statement. The cash flow statement shall have the cash flow from operations separated into two sections. One section shall contain the cash flows from working capital and the other section should contain cash flows from all other operating activities.

(3) Action would include: 1) Order approving application or setting on-the-record hearing or 2) Agenda for parties to answer questions

(\*) Discovery will have five day response time and timeline applies to uncontested case

# AmerenUE Proposal

**Type of Case:** Utility applications for authority to issue stock, bonds, notes and other evidences of indebtedness (393.200 RSMo.)

**Case Standard:** MPSC order must: (i) authorize the issue and the amount thereof, (ii) state the purpose to which the issue or proceeds thereof are to be applied; (iii) opine that (a) the money, property or labor to be procured or paid for by the issue is or has been reasonably required for the purpose specified in the order and (b) that except as otherwise permitted in the order in the case of bonds, notes and other evidences of indebtedness, such purposes are not in whole or in part reasonably chargeable to operating expenses or to income (393.200 RSMo.).

**Case Generic Timeline:** For Refinancings and Small non-Refinancing Issuances excluding shelf registration plans (follows Illinois Commerce Commission Model). This timeline, which is only available for Refinancings and Small non-Refinancing issuances, represents an alternative process to the seventy-five (75) day process applicable to all financings including shelf registration plans.

**Definition of** Any issuance of stock, bonds, notes and other evidences of

**Refinancings:** indebtedness when 90% or more of the proceeds are to be used by the utility for purposes of refunding, redeeming or refinancing outstanding issues of stock, bonds, notes or other evidences of indebtedness (long-term or short-term debt).

**Definition of Small:** (i) Any issuance of stock in a cumulative amount, exclusive of

**Issuances:** any Refinancing issuances, that are less than 10% in a calendar year or less than 20% in a 24 month period of the total common stockholders' equity or of the total amount of preferred stock outstanding of the utility (as of the date of the issuance) and (ii) any issuances of bonds, notes or other evidences of indebtedness in a cumulative principal amount, exclusive of Refinancing issuances, that are less than 10% in a calendar year or less than 20% in a 24 month

period of the aggregate principal amount of bonds, notes and other evidences of indebtedness of the utility outstanding (as of the date of the issuance).

Key Actions	Time Period to Complete Key Action	Purpose for Action & Impact on Hearing	Key Action in Parallel	Minimum Filing Requirements
Application filed by utility	At least 15 days before issuance		Discovery	4 CSR 240-2.060 240-3.120 240-3.220
Recommendation filed by Staff and OPC	10 days after application is filed			
Order issued Closing Case	15 days from action initiating case (effective date)  NOTE: Order may be issued by RLJ under delegated authority.			

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# Telco Certificate

## Subgroup Members

Mike Dandino, Leo Bub, Tripp England, Sandra Morgan, John Van Eschen

# Telco Certificate Recommendation

At this time the only specific recommendation coming out of our sub-group for telecommunications certificate application cases is that we recommend that the letter sent by Staff to CLECs failing the financial test be modified to include contact information for the specific Financial Analysis Department Staff member who is most familiar with the applicant's submitted financial information. In this regard, the CLEC applicant will be able to more readily contact the appropriate Financial Analysis Department Staff member for further information.

# Line Certificates

## Subgroup Members

Jim Lowery and Bob Schallenberg

# Line Certificate Recommendation

Elect. Line Cert. Cases (393.170.1; 4 CSR 240-3.105) - Page 1 of 2

No.	Case Activity	Days From Filing Application																	
		>=90	>=14	0	7	21	35	45	50	60	80	90	110	120	150	170	190	200	210
1	Public Workshops (1)	X																	
2	Preapplic. Conf.		X																
3	File Application			X															
4	Submit Proposed Proced. Schedule			X															
5	File Direct Test.(2)			X															
6	PSC Issues Notice of Application to:				X														
	--Legislators																		
	--Local Newspapers in Counties where line is																		
	--County Commissioners/ City/Town Officials																		
7	PSC Issues Order that:				X														
	(order sent to above persons)																		
	--Sets Intervention Deadline																		
	--Orders Staff to File Recom.																		
	--Sets Deadline to Request Contested Hearing																		
8	Deadline to Intervene					X													
9	PSC Rules On Applic. to Intervene						X												
10	Staff Files Recommendation						X												
11	Technical Conference (3)							X											
12	Deadline to Request Contest. Evidentiary Hearing								X										
13	Deadline to Respond to Co's Prop. Sch/to Propose Altern.								X										
14	Prehearing Held									X									
15	If No Cont. Evidentiary Hrngs. PSC Issues Order on Applic. after "Due Hearing"										X								

(1) By rule, Commission would give filing company the option to hold Public Workshops based on certain prior public notice requirements with Commissioners being invited and encouraged to attend. If the company held workshops per the rule, the rules would provide that there will be no local public hearings. The Company could include information in its Application/Initial Direct Testimony regarding issues raised at the Workshops. The Workshops would cover issues such as route, clearing, landowner contacts, etc. PSC Notice in Item 6/7 would advise that by rule, since Workshops were held, there will be no local hearings

(2) The Company's willingness to submit direct testimony upfront is dependent upon adoption of firm timelines for moving the case and getting a decision, such as dispensing with local public hearings, having early intervention deadlines, and having a deadline on issuing decisions.

(3) To discuss whether case can be resolved by agreement or is likely to be contested, and to address other issues.

No.	Activity	Days From Filing Application															
		90	110	120	150	170	190	200	210	230	240	250	260	280	290	320	
16	Company Files Updated	X															
	Direct Testimony (4)																
17	Discovery Done		X														
18	Rebuttal Testimony Due			X													
19	Surrebuttal Testimony Due				X												
20	Summary Judgment/Other Dispositive Motions Due				X												
21	Response to Dispositive Motions Due					X											
22	PSC Rules on Disp. Motions						X										
23	Settlement Pos. Paper Filed (5)						X										
24	Settlement Conf Held (5)							X									
25	Pretrial Conf. Held								X								
	--Prel. Issues List																
	--Witnesses																
	--Exhibits																
	--Stipulations																
	--Other																
26	Stipulations Filed									X							
27	Pretrial Brief, incl. Executive Summary Filed by Each Party										X						
28	Hearings Held											X					
29	Transcript Complete												X				
30	Initial Brief Due													X			
31	Reply Brief Due														X		
32	PSC Issues Decision (6)															X	

(4) If firm deadlines are established and the Company routinely files direct testimony at the beginning of the case, the Company will need and opportunity to supplement the direct testimony based upon issues opponents might raise.

(5) The Company is aware of, and in many cases, likely supports more formal "settlement judge" procedures, and has included the possibility of those procedures. here. However, in line certificate cases the line is either needed or it is not, and the only other issue will likely be landowner A (or landowner group A) wanting the line to be routed somewhere else, which then would probably impact other landowners, so settlement is not likely feasible in these types of cases.

(6) Decision to be Effective 10 Days after Issuance

(6) Rehearing Motions to be Filed on or Before Effective Date (i.e. within 10 days after Decision is Issued)

(6) Rehearing Motions to be Decided Within 30 days after they are filed

# Area Certificates

## Subgroup Members:

Tripp England, Jim Fischer, Dale Johansen, Mike Dandino

# Area Certificate Recommendation

**Suggested Standard Timeline for Non-Contested Service Area Certificate Cases**

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Comments
0	01/01/04	01/01/04	Filing of Verified Application	Company	
10	01/11/04		RLJ Issues Order and Notice (provides for 20-day intervention period)	RLJ	Notice to Local Media, County Government, Legislators, and Affected Landowners
30	01/31/04		Filing of Intervention Requests	Interested Parties	This Timeline Assumes No Requests Are Filed
40	02/10/04		RLJ Issues Order Establishing Date for Filing of Staff Recommendation	RLJ	
90	03/31/04		Staff Files Its Recommendation Regarding Approval of the Application	Staff	
100	04/10/04		Filing of Responses to Staff's Recommendation	Company & OPC	
120	04/30/04		Commission Issues Report and Order Regarding Approval of the Application	Commission	

Note: Actual due dates determined "manually" by adjusting the target due dates for weekends and holidays.

**Suggested Standard Timeline for Contested Service Area Certificate Cases**

<b>Target Day</b>	<b>Target Due Date</b>	<b>Calendar Due Date</b>	<b>Case Activity</b>	<b>Responsible "Party"</b>	<b>Comments</b>
0	01/01/04	01/01/04	Filing of Verified Application	Company	
10	01/11/04		RLJ Issues Order and Notice (provides for 20-day intervention period)	RLJ	Notice to Local Media, County Government, Legislators, and Affected Landowners
30	01/31/04		Filing of Intervention Requests	Interested Parties	This Timeline Assumes Requests Are Filed
40	02/10/04		Commission Issues Order Regarding Intervention Requests and Setting Prehearing Conference to Establish Procedural Schedule	Commission	
55	02/25/04		Prehearing Conference Held	All Parties	
60	03/01/04		Filing of Proposed Procedural Schedule	Staff	
65	03/06/04		RLJ Issues Order Establishing the Procedural Schedule	RLJ	
90	03/31/04		Staff, OPC and Intervenors File Rebuttal Testimony in Response to the Company's Verified Application	Staff, OPC & Intervenors	
120	04/30/04		Company Files Surrebuttal Testimony and Other Parties File Cross-Surrebuttal Testimony	All Parties	
140	05/20/04		Evidentiary Hearing Held	All Parties	
150	05/30/04		Hearing Transcripts Available	Court Reporter	
180	06/29/04		Filing of Simultaneous Initial Briefs	All Parties	
200	07/19/04		Filing of Simultaneous Reply Briefs	All Parties	
240	08/28/04		Commission Issues Report and Order Regarding Approval of the Application	Commission	

Note: Calendar Due Dates determined "manually" by adjusting the Target Due Dates for weekends and holidays.



# Over-Earnings Complaint

## Subgroup Members:

Lisa Langeneckert, Russ Trippensee, Tom Byrne, Bob Schallenberg

# Over Earnings Complaint Recommendation

## Timeline for Excess Rate Investigation Request Case (\*)

Day	Description	Purpose
	Preapplication Conference (1)	Recommended to discuss upcoming filing. Meeting should include Staff, Company, and OPC to receive initial reaction, concerns, and comments.
	Application (2)	
0	Commission Order Approving Investigation	If Commission order does not approve investigation, then no further activity covered by timeline
4	<b>Notice of Intervention</b>	Provide notice to parties to assert justification to participate in proceeding
34	<b>End of Intervention</b>	Determine the parties that will participate in the case.
41	Technical Conference (1)	Formal conference to determine scope and schedule for Staff investigation. Unresolved scope and schedule issues taken to Commission for resolution.
TBD	Draft Staff Report	Not filed. Given to parties to facilitate settlement conference
TBD + 7	Settlement Conference	Provide opportunity to resolve matter on mutually agreeable basis.
TBD + 37	Staff Report or Stipulation & Agreement	Stipulation will probably create a "rate" case. Report will either state that Staff sees no basis for rate change or request permission to file a complaint
0	Staff Complaint	Must meet established MFRs. Establish Timelines to support C Order in 11 months.

(1) Telephone Option with e-mail/fax to convey material

(2) MFRs and standard would need to be developed to support such a filing. Probably require rulemaking

(\*) Non-Staff Party file to request Commission to order its Staff to investigate a utility for possible excessive rates

# Customer Complaints

## Subgroup Members

Leo Bub, Rick Zucker, Barb Meisenheimer, Wess Henderson, Gay Fred, Tom Imhoff

# Customer Complaint Recommendation

## **Consumer Informal Complaint Timelines for Gas, Electric, Water and Sewer Utilities:**

Staff is requesting that all utilities except for telecommunications, respond to all inquiries and complaints from Staff's Consumer Services Department within three (3) business days, except for interruption of service issues. Receipt of Interruption of Service inquiries and complaints shall be acknowledged the same business day but no later than the end of the next business day. Interruption of service inquiries and complaints shall be responded to within three (3) business days. If the company and customer fail to resolve the informal complaint, the Commission Staff will notify the customer of his/her right to file a formal complaint with the Commission.

## **Consumer Informal Complaint Timelines for Telecommunication Utilities:**

Staff is requesting all telecommunication companies to acknowledge receipt of all inquiries and complaints from Staff's Consumer Services Department related to denial or discontinuance of service within 24 hours with an estimate of when a substantive response will be provided. For all other informal complaints/inquiries, companies will be required to respond with various status updates and/or resolution proposals within 3 business days, 15 days and thirty days. If the telecommunications company and customer fail to resolve the informal complaint, the Commission Staff will notify the customer of his/her right to file a formal complaint with the Commission.

# Company vs. Company Complaint

## Subgroup Members

Tripp England, Leo Bub, Mike Scheperle

# Company vs. Company Complaint

## Recommendation

A generic timeline is outlined for Complaint - Company vs. Company of approximately 9-1/2 months. This timeline outline may be extended or tolled due to mediation by the parties or may need to be varied due to the complexity or size of a particular case (complaint).

### COMPLAINTS - COMPANY VS. COMPANY

Statutory Authority    §386.390 RSMo (Corporations)  
                                      §386.400 RSMo (all utilities)

MoPSC Rule(s)        4 CSR 240-2.070 (Complaints)  
                                  4 CSR 240-2.125 (Mediation)

### **TIMELINE (\*)**

<b>Day #</b>	<b>Key Action</b>	<b>Comment</b>
1	File verified complaint	
3-10	PSC secretary serves, by certified mail, copy of complaint on Respondent (3-10 days)	
33-40	Respondent files answer or request for mediation (30 days)	
43-50	If mediation requested, Complainant indicates its willingness to mediate (10 days)	

Day #	Key Action	Comment
<b>If mediation agreed to by all parties</b>		
63-70	PSC appoints mediator (20 days)	Timeframe for mediation will be determined based on agreement of parties and mediator
93-100	Parties jointly file status report (30 days) regarding progress of mediation	
<b>If no resolution as a result of mediation, return to complaint proceeding (i.e., filing of testimony, hearing, etc.)</b>		
<b>If all parties do not agree to mediation or Respondent files answer only</b>		
57-64	Respondent files answer (if not already filed) (14 days)	
77-84	PSC sets prehearing conference to establish procedural schedule (20 days)	
107-114	Complainant files direct testimony (30 days)	
152-159	Respondent (and Staff and OPC if they elect to participate) file rebuttal testimony (45 days)	

<b>Day #</b>	<b>Key Action</b>	<b>Comment</b>
172-179	Complainant files surrebuttal (parties file surrebuttal to other party's rebuttal) (20 days)	Filing(s) of issue list, order of witnesses and cross examination to be filed during this period
182-189	Hearing (10 days)	
242-249	Briefing (60 days)	Simultaneous Initial & Reply briefs
282-289	PSC issues Report & Order (40 days)	

(\*) The timeline is a generic outline. It is recognized that the outlined timeframes may need to be varied due to the complexity or size of a particular case.



# Telco Merger & Acquisition

## Subgroup Members

Jim Fischer, Tripp England, Leo Bub, John Van Eschen

# Telco Merger & Acquisition

## Recommendation

### MERGERS & ACQUISITIONS - NON-COMPETITIVE AND TRANSITIONALLY-COMPETITIVE TELCOS

Statutory Authority    §392.300 RSMo (telecommunications)

MoPSC Rule(s)        4 CSR 240-3.520 (Transfer of Asset cases)  
                               4 CSR 240-3.525 (Merger or consolidation)  
                               4 CSR 240-3.535 (Acquire More than 10% of Stock of Telco)

#### TIMELINE

Day #	Key Actions	Comments
1	Filing of verified application	
10-14	PSC issues order and notice (10-15 days)	Notice to public and affected parties (e.g., landowners)
30-35	Intervention and request for hearing deadline (20 days)	
<b>If no intervention or request for hearing</b>		
60	Staff files Recommendation (30 days)	Assumes non-contested application
70	Applicant files response to Staff Recommendation (10 days)	
75-85	PSC issues Report & Order (5-15 days)	

Day #	Key Actions	Comments
<p align="center"><b>If a party intervenes or requests a hearing</b></p> <p align="center"><b>Assumes a contested application</b></p>		
40-45	PSC issues order, sets prehearing conference to establish hearing schedule (10 days)	
60-65	Prehearing conference held (20 days)	
90-95	Company files direct testimony in support of Application (30 days)	
120-125	Commission Staff, Public Counsel and Intervenors file rebuttal testimony (30 days)	
140-145	Applicant files surrebuttal testimony (20 days)	
160-165	Evidentiary Hearings	
180-185	Initial Briefs (20 days)	
190-195	Reply Briefs (10days)	
220-225	Report & Order issued (30days)	

# MERGERS & ACQUISITIONS - COMPETITIVE TELCOS

Statutory Authority §392.300 RSMo (telecommunications)

MoPSC Rule(s) 4 CSR 240-3.520 (Transfer of Asset cases)  
4 CSR 240-3.525 (Merger or consolidation)  
4 CSR 240-3.535 (Acquire More than 10% of Stock of Telco)

## TIMELINE

Day #	Key Actions	Comments
1	Filing of verified application	
2-5	RLJ issues Order Directing Notice establishing date for Staff Recommendation	
25	Staff Recommendation Due	
35	Applicant files response to Staff Recommendation (10 days)	Assumes non-contested application
45-60	PSC issues Report & Order (5-15 days)	
<b>If a party intervenes or requests a hearing</b>		
40-45	PSC issues order, sets prehearing conference to establish hearing schedule (10 days)	
60-65	Prehearing conference held (20 days)	

<b>Day #</b>	<b>Key Actions</b>	<b>Comments</b>
90-95	Company files direct testimony in support of Application (30 days)	
120-125	Commission Staff, Public Counsel and Intervenors file rebuttal testimony (30 days)	
140-145	Applicant files surrebuttal testimony (20 days)	
160-165	Evidentiary Hearings	
180-185	Initial Briefs (20 days)	
190-195	Reply Briefs (10days)	
220-225	Report & Order issued (30days)	

# Non-Telco Merger & Acquisition

## Subgroup Members

Tom Byrne, Wess Henderson, Bob Schallenberg, Russ Trippensee

# Non Telco Merger & Acquisition

## Recommendation

### Timeline for Non-Telco Merger & Acquisition Case (\*)

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Day	Description	Purpose
≥ - 14	Preapplication Conference (1)	Discuss upcoming filing, data needs, initial concerns, changes since last company case.
0	Application (2)	
4	<b>Notice of Intervention</b>	Provide notice to parties to assert justification to participate in proceeding
34	<b>Intervention Deadline</b>	Determine the parties that will participate in the case.
41	Technical Conference (1)	Formal check of the status of case to see data has been provided and representations have been verified. See if issues have developed related to the filing. Determine if case is likely to be uncontested and has little or big additional discovery needs.
15-60; 60-75	Staff Recommendation	Staff may file to extend if it encounters discovery disputes and discovers problems that were previously not identified. 60-75 applies to case (big) with unusual features that parties perceive can be worked out.
75	Commission Action (3)	

(1) Telephone Option with e-mail/fax to convey material

(2) MFRs modified to include cash flow statement, with balance sheet and income statement. The cash flow statement shall have the cash flow from operations separated into two sections. One section shall contain the cash flows from working capital and the other section should contain cash flows from all other operating activities.

(3) Action would include: 1) Order approving application or setting on-the-record hearing or 2) Agenda for parties to answer questions

(\*) Timeline applies to uncontested case

#### IF CASE IS CONTESTED

165	Rebuttal testimony **
210	Surrebuttal Testimony **
240	Hearing
270	End of Hearing
365	Commission Order

(\*\*) Workpapers provided with filing.

# Name Change

## Subgroup Members

Becky Powell, Leo Bub, Jim Fischer, Mike Scheperle



# Name Change Recommendation

At this time, there is no apparent dissatisfaction with the current process for Name Changes (30 day filing with adoption notice with tariff title sheet OR revised tariff).

<b>CASE STANDARD:</b> <b>DEFINITION:</b>  <b>CASE GENERIC TIMELINE:</b> <b>ACTION INITIATING CASE:</b>  <b>MUST OBTAIN SOS AUTHORITY PRIOR TO FILING AT MPSC</b>	<b>Filing Requirement Regarding Utility Company Name Changes</b> To Change Official Company Name/Tariffs  File Application w/MPSC	<b>4 CSR 240-2.060 and 240-3.020</b>
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KEY ACTIONS	TIME TO COMPLETE KEY ACTION	PURPOSE FOR ACTION & IMPACT ON HEARING
File Application (4 CSR 240-2.060 (5)) Cover Letter (may be filed by non-attorney, requesting Change of Name. APPLICATIONS to include: statement of old  & new name; registration w/SOS; and Adoption Notice with tariff title sheet OR revised tariff	both tariff options require <b>30 day</b> effective date.  <b>PROPOSED RULE CHANGE:</b> At this time, there appears to be no dissatisfaction with the process. Low priority for change.	Change Official Company Name

  

KEY ACTION PARALLEL	TIME PERIOD TO COMPLETE KEY ACTION	PURPOSE FOR ACTION & IMPACT ON HEARING
File tariff simultaneously with Application  Interventions  Hearing Process	30 days  Refer to Case Efficiency on Hearing Process Group Report	Change Official Company Name in Tariffs

  

KEY ACTION IN SEQUENCE	TIME PERIOD TO COMPLETE KEY ACTION	PURPOSE FOR ACTION & IMPACT ON HEARING
Staff Recommendation Report and Order		

ORDER ISSUED CLOSING CASE: \_\_\_\_\_  
 DAYS FROM ACTION INITIATING CASE

# Accounting Authority Order

## Subgroup Members

Tim Rush, Mike Rump, Bob Amdor, Janis Fischer, Bob Schallenberg, Russ Trippensee

# Accounting Authority Order

## Recommendation

**Type of Case:** Utility applications for accounting authority orders (393.140 RSMo.)

**Case Standard:** MPSC order may approve forms of accounts and records maintained by utilities. (393.140).

**Case Generic Timeline:** For accounting authority orders

**Definition of** Any method of keeping accounts, records and books, which departs from the uniform methods approved by the MPSC.

Key Actions	Time Period to Complete Key Action	Purpose for Action & Impact on Hearing	Key Action in Parallel	Minimum Filing Requirements
Application filed by utility	At least 60 days before issuance		Discovery	4 CSR 240-2.060
Recommendation filed by Staff and OPC	75 days after application is filed			Generic DRs included in MFR
Hearing-Disagreement between parties	180 days after application is filed			

Key Actions	Time Period to Complete Key Action	& Impact on	Key Action in Parallel	Minimum Filing Requirements
Agreement-Order issued Closing Case	135 days from action initiating case			
Hearing-Order issued Closing Case	240 days from action initiating case			

### **Timeline for Accounting Authority Order Case (\*)**

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<b>Day</b>	<b>Description</b>	<b>Purpose</b>
≥ - 14	Preapplication Conference (1)	Discuss upcoming filing, data needs, initial concerns, changes since last company case.
0	Application (2)	
7	Technical Conference (1)	Formal check of the status of case to see data has been provided and representations have been verified. See if issues have develop related to the filing.
45-60	Staff Recommendation	Staff will file to extend if it encounters discovery disputes and discovers problems that were previously not identified.
75	Commission Action (3)	

(1) Telephone Option with e-mail/fax to convey material

(2) MFRs would need to be established to address minimum information requirements and standard.

(3) Action would include: 1) Order approving application or setting on-the-record hearing or 2) Agenda for parties to answer questions

(\*) Discovery will have five day response time and timeline applies to uncontested case. Modifications to Commission rules should be evaluated to explore possibility to allow bookkeeping flexibility under specified circumstances.

# Territorial Agreements

## Subgroup Members

Lena Mantle, Dale Johansen

# Territorial Agreement Recommendation

## Proposed Territorial Agreement Case Timeline

Day #	Key Actions	Comments
0	Application Filed	All Minimum filing requirements supplied  Initial filing fee paid  Notice sent to other electrical suppliers
1-10	Intervention allowed (or as designated by RLJ)	
14-20	Prehearing held to determine procedural schedule and discuss agreement with parties	
28-30	Direct Testimony filed	
50-60	Rebuttal testimony filed	(Staff recommendations may be filed instead if there are no intervenors and Staff and the utilities agree that Staff recommendation can be filed instead of rebuttal testimony.)
60-65	Surrebuttal filed	(not necessary if no intervenors and Staff files recommendation)
80-90	Hearing	
95	Briefs Due	

Day #	Key Actions	Comments
110	Order issued effective in 10 days.	
<b>If case is settled at the prehearing:</b>		
30	Stipulation and Agreement filed	
40 – 45	Staff recommendation filed	
60 – 75	Hearing held	Typically short – 30 minutes to an hour. Hearing date is based on hearing calendar
90 – 100	Order issued effective in 10 days	



# Actual Cost Adjustments (ACA)

## Subgroup Members

Rick Zucker, Jim Fischer, Dave Sommerer, Tom Byrne

# Actual Cost Adjustment (ACA)

## Recommendation

The subgroup is not submitting a general improvement plan for the ACA process at this time. The subgroup did discuss ideas for potential changes in the process, primarily involving discovery issues. The Group recommends that those parties interested in the ACA process meet to further explore opportunities for improvements in areas fundamental to the process. The group believes that this is the best approach to improving efficiency in processing ACA cases.